

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT K. JOHNSTON and  
CHRISTOPHER L. MILTON,  
*Plaintiffs,*

v.

LINCOLN BENEFIT LIFE,  
*Defendant.*

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CIVIL ACTION  
NO. 18-5368

**ORDER**

AND NOW, this 23<sup>rd</sup> day of March, 2020, upon consideration of Defendant's Motion to Dismiss (ECF No. 9) and the Responses filed thereafter (ECF Nos. 13, 14, 15, 17), it is hereby ORDERED as follows:

1. Defendant's Motion to Dismiss (ECF No. 9) is GRANTED.
2. Plaintiff Christopher L. Milton is hereby DISMISSED from the above-captioned matter.
3. Plaintiff Robert K. Johnston is granted leave to amend and shall do so **on or before April 20, 2020**. Plaintiff Johnston will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss. Plaintiff Johnston's failure to file an Amended Complaint within the allotted time may result in the dismissal of this action with prejudice and without further notice.
4. The Clerk of Court is DIRECTED to change the caption to "ROBERT K. JOHNSTON v. LINCOLN BENEFIT LIFE COMPANY".

BY THE COURT:

/s/ C. Darnell Jones, II  
C. DARNELL JONES, II      J.